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Attorney Docket No. **55525-8055-US00**

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AUG 6/1/2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE APPLICATION OF: Sydney Brenner

APPLICATION No.: 09/934,020

FILED: August 21, 2001

FOR: **POLYMORPHIC DNA FRAGMENTS AND USES THEREFOR**

EXAMINER: Tran,

My Chau T. *#13*

ART UNIT: 1639

CONF. NO: 7541 *8/4/03*

Transmittal

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Transmitted herewith are the following:

- ☒ A Response to Requirement for Election of Species
- ☒ A copy of article cited in the response.

2. Entity Status

- ☒ Small Entity Status (37 CFR 1.9 and 1.27) is proper for this case.

3. Conditional Petition for Extension of Time:

An Extension of Time is requested to provide for timely filing if necessary for timely filing of this transmittal and enclosures.

4. Provisional Fee Authorization

Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP

LeeAnn Gorthey
LeeAnn Gorthey
Registration No. 37,337

Date: July 28, 2003

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Sydney Brenner

SERIAL NO.: 09/934,020

FILED: August 21, 2001

FOR: **Polymorphic DNA Fragments and
Uses Thereof**

EXAMINER: Tran, My Chau T.

ART UNIT: 1639

CONFIRMATION No. 7541

Response to Requirement for Election of Species

Commissioner of Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated June 26, 2003, the Examiner required the applicant to elect a single disclosed species from each of the following:

- (a) a first restriction endonuclease;
- (b) an Exo III resistant linker;
- (c) a second restriction endonuclease; and
- (d) an Exo III susceptible linker.

The due date for response fell on Saturday, July 26, 2003, thus extending the period for response, under 37 CFR §1.7, to Monday, July 28, 2003.

Applicant elects the following species, with traverse:

- (a) the restriction endonuclease Sau3A;
- (b) the "M adapter" shown on page 44, lines 6-7 of the specification;
- (c) the restriction endonuclease Taq I; and
- (d) the "Q adapter" shown on page 44, lines 2-3 of the specification.

Each of pending claims 7-10 is readable on each of these species.